

IPR
APR 01 2003

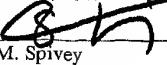
O I P E
APR 01 2003
JC32

PATENT & TRADEMARK OFFICE

Certificate of Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: March 27, 2003


Christine M. Spivey

PATENT
36856.615

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shigeto TAGA	Art Unit: 2834
Serial No.: 10/077,775	Examiner: K. B. Addison
Filed: February 20, 2002	
Title: SURFACE ACOUSTIC WAVE DEVICE AND COMMUNICATION APPARATUS INCLUDING THE SAME	
<p style="text-align: right;">RECEIVED APR - 3 2003 TECHNOLOGY CENTER 2800</p>	

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, submitted herewith are copies of two (2) references cited in the enclosed Examination Report issued in a corresponding Japanese Patent Application. For the Examiner's convenience, we have enclosed an English translation of the Japanese Examination Report from the corresponding Japanese Patent Application and a completed Form PTO-1449. The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

U.S. Serial No. 10/077,775
March 27, 2003
Page 2 of 2

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement, and that this is the first citation of these prior art references by a foreign patent office in a counterpart foreign patent application. Accordingly, no fee is necessary for the filing of this statement. Should the Commissioner determine otherwise, the Commissioner is authorized to charge Deposit Account No. 50-1353 for any fee shortages, including the petition fee under 37 C.F.R. § 1.17(p).

Applicant respectfully requests that the disclosed references be made of record in the subject application.

Respectfully submitted,

Date: March 27, 2003



Attorneys for Applicant(s)

Joseph R. Keating
Registration No. 37,368

Christopher A. Bennett
Registration No. 46,710

KEATING & BENNETT LLP
10400 Eaton Place, Suite 312
Fairfax, VA 22030
(703) 385-5200

FORM PTO-1449 (MODIFIED)		ATTY. DOCKET NO. 36856.615		SERIAL NO.: 10/077,775	
LIST OF PATENTS AND PUBLICA ^{RE} TIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT(S): Shitego TAGA			
Sheet	1	of	1	FILING DATE: February 20, 2002	GROUP: 2834
U.S PATENT DOCUMENTS					
Examiner Initial	Document Number	Date	Name	Class	Filing Date Subclass if appropriate
	AA				
	AB				
	AC				
	AD				
	AE				
	AF				
FOREIGN PATENT DOCUMENTS					
	Document Number	Date	Country	Class	Filing Date Subclass if appropriate
	AG 2001-267881 A (With English Abstract)	9/2001	Japan		
	AH 2002-124848 A (With English Abstract)	4/2002	Japan		
	AI				
	AJ				
	AK				
	AL				
	AM				
	AN				
	A0				
OTHER ART (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)					
	AP				
	AR				
	AS				
	AT				
EXAMINER	DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

整理番号 30-1132P

発送番号 074579
発送日 平成15年 3月 4日

1 / 2

拒絶理由通知書



特許出願の番号

特願2002-000289

起案日

平成15年 2月28日

特許序審査官

清水 稔 8525 5W00

特許出願人代理人

原 謙三 様

適用条文

第29条の2

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願の日前の特許出願であって、その出願後に出願公告（特許掲載公報の発行）又は出願公開がされた下記1又は2の特許出願の願書に最初に添付された明細書又は図面に記載された発明と同一であり、しかも、この出願の発明者がその出願前の特許出願に係る上記の発明をした者と同一ではなく、またこの出願の時において、その出願人が上記特許出願の出願人と同一でもないので、特許法第29条の2の規定により、特許を受けることができない。

記

請求項1～5に係る発明について

1.特願2000-75177号（特開2001-267881号）

セラミックパッケージとは、通常、アルミナパッケージを意味する。

又は、

2.特願2000-316470号（特開2002-124848号）

先行技術文献調査結果の記録

・調査した分野 I P C第7版

・先行技術文献 特開平11-205078号公報

特開平5-85076号公報

特開2000-174159号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。



発送番号 074579
発送日 平成15年 3月 4日 2 / 2

お問い合わせ：特許審査第四部伝送回路 内線 6441